

REMARKS

This Amendment is submitted in response to the Office Action mailed July 27, 2001. The Office Action rejects Claims 2-9 and 12 under 35 U.S.C. §§ 102(b) and 112, first and second paragraphs.

Claims 2-9 and 12 are pending in this application. Claims 2-4 and 12 have been amended.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The marked-up version is captioned **"Versions with Markings to Show Changes Made."**

At the outset, the Patent Office objects to Claims 2-4 for containing alleged informalities. In response, Applicants have amended the claims to better clarify the claimed invention. No new matter is added thereby. Thus, the present amendment is intended for clarification purposes only and not for substantial reasons related to patentability pursuant to 35 U.S.C. §§101, 102, 103 or 112. Accordingly, Applicants respectfully request that this objection be withdrawn.

In the Office Action, Claims 2-9 and 12 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification; and under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, with respect to both § 112 rejections, the Examiner takes issue with the following language of Claim 12: "a graphitized carbonaceous material comprising a plurality of meso-carbon micro-bead." The Examiner asserts that the graphitized carbonaceous material is not comprised of the meso-carbon micro-beads, but rather is obtained from the meso-carbon micro-beads. In response, Applicants have amended Claim 12 to clarify that the graphitized carbonaceous material is obtained from the meso-carbon micro-beads. Accordingly, Applicants respectfully request that these rejections be withdrawn.

In the Office Action, Claims 2-9 and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent Document EP 0 724 305 A1 (*Akashi*). Applicants have amended claim 12 to better clarify the claimed invention. Applicants respectfully submit that *Akashi* does not disclose all of the limitations of the claimed invention. Thus, Applicants respectfully request that the patentability of claims 2-9 and 12 be reconsidered for at least the following reasons.

As even admitted by the examiner, *Akashi* "does not specifically teach that the specific surface area of the carbonaceous material is 0.1 to 3.2 m²/g." *See*, Office Action mailed February

13, 2001, paper number 14, page 4, lines 3-5. In contrast, the claimed invention requires the carbonaceous material to have a specific surface area that ranges from 0.1 to less than 3.2m²/g. Thus, Applicants respectfully submit that the claimed invention is clearly not anticipated by *Akashi*. Accordingly, Applicants respectfully request that this rejection be withdrawn.


Accordingly, Applicants respectfully submit that the rejections raised by the Examiner with respect to the present application have been overcome and, thus, be withdrawn.

Thus, for the foregoing reasons, Applicants respectfully request reconsideration of the present application and earnestly solicit an early allowance of same.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY


William E. Vaughan

Reg. No. 39,056

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (312) 807-4292

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 2 has been amended as follows:

2. (Thrice Amended) The gel electrolyte secondary cell according to Claim 12 wherein the gel electrolyte comprises a non-aqueous liquid electrolyte containing a non-aqueous solvent and an electrolyte salt and the high-molecular weight material ~~weight~~ having a nitrile group in its side chain.

Claim 3 has been amended as follows:

3. (Thrice Amended) The gel electrolyte secondary cell according to Claim 12 wherein the high-molecular weight material ~~weight~~ having a nitrile group in its side chain is polyacrylonitrile.

Claim 4 has been amended as follows:

4. (Thrice Amended) The gel electrolyte secondary cell according to Claim 12 wherein the high-molecular weight material ~~weight~~ having a nitrile group in its side chain is polyacrylonitrile and wherein the molar ratio of the acrylonitrile monomer to the non-aqueous solvent is 5.95 to 30:70.

Claim 12 has been amended as follows:

12. (Amended) A gel electrolyte secondary cell comprising:

a positive electrode;

a negative electrode comprising a graphitized carbonaceous material ~~comprising~~ obtained from a plurality of meso-carbon micro-beads, wherein the graphitized carbonaceous material has a specific surface area that ranges from 0.1 to less than 3.2m²/g; and

a gel electrolyte comprising an electrolyte salt, a non-aqueous solvent and a high-molecular weight material having a number average molecular weight ranging from 5000 to 500000.